

PEMABUK SEBAGAI ALASAN CERAII GUGAT
(Tinjauan Yuridis Putusan Pengadilan Agama Kota Cimahi Nomor:
172/Pdt.G/2020/PA.Cmi)

Oleh:
Rizky Agung Prastowo
(E1A115024)

ABSTRAK

Perkawinan seorang laki-laki dengan seorang perempuan didasari oleh sukarela dan keadilan, akan tetapi dalam perjalanannya muncul permasalahan rumah tangga yang mengakibatkan perceraian. Majelis hakim memutus perkawinan karena perceraian disebabkan karena suami sering meminum-minuman beralkohol atau pemabuk. Peneliti melakukan penelitian guna penyusunan tugas akhir penulisan hukum dengan judul ‘ Pemabuk Sebagai Alasan Cerai Gugat’ (Tinjauan Yuridis Terhadap Putusan Pengadilan Agama Kota Cimahi Nomor: 172 / Pdt.G / 2020 / PA.Cmi)

Bagaimana pertimbangan hukum Hakim dalam mengabulkan cerai gugat karena suami sering mengkonsumsi alkohol. Penelitian ini menggunakan metode pendekatan hukum secara yuridis normatif, dengan spesifikasi penelitian preskriptif. Dalam penelitian ini sumber data yang digunakan adalah Putusan Pengadilan Agama Kota Cimahi Nomor: 172/Pdt.G/2020/PA.CMI, undang-undang serta buku-buku. Data yang diperoleh disajikan secara sistematis dan terperinci, dan analisis data dilakukan secara normatif kualitatif.

Berdasarkan hasil penelitian dan pembahasan mengenai cerai gugat pada putusan Pengadilan Agama Kota Cimahi Nomor: 172/Pdt.G/2020/PA.Cmi, dapat disimpulkan bahwa Pengadilan Agama Kota Cimahi berhak memeriksa berdasarkan Pasal 49 ayat (1) dan memutus perkara. Menurut peneliti pasal 39 ayat 2 undang-undang Nomor 1 tahun 1974 tidak mengatur tentang alasan perceraian. Selanjutnya peneliti berasumsi bahwa hakim dapat menambahkan dengan pasal 19 (a) Peraturan Pemerintah Nomor 9 tahun 1974 jo. Pasal 116 (a) Kompilasi Hukum Islam sesuai dengan kasusnya bahwa tergugat sering mengkonsumsi alkohol yang sukar disembukan dan membuat hubungan yang tidak harmonis lagi.

Kata Kunci: *Perceraian, Pemabuk*

DRUNKARD AS A REASON FOR DIVORCE

**(Judicial Review of the Decision of the Cimahi City Religious Court Number:
172 / Pdt.G / 2020 / PA.Cmi)**

By:

Rizky Agung Prastowo

E1A115024

ABSTRACT

Marriage of a man with a woman is based on voluntary and fairness, but along the way, arise a household problems that caused divorce. the panel of judges put an end to a marriage because the divorce caused by a husband who often drank alcohol or was drunk. Researchers conducted research in order to compile a final legal writing project entitled 'Drunkard as a Reason for Divorce, "(Judicial Review of the Cimahi City Religious Court Decision Number: 172 / Pdt.G / 2020 / PA.Cmi)

how the judges' legal considerations in granting a claim for divorce because the husband often consumes alcohol. This study uses a normative juridical legal approach, with prescriptive research specifications. on this research the source of the data that used is the Decision of the Cimahi City Religious Court Number: 172 / Pdt.G / 2020 / PA.CMI, laws and books. Data are presented systematically and in detail, and analysis of data is carried out normatively.

Based on the results of research and discussion regarding a lawsuit on the decision of the Cimahi City Religious Court Number: 172 / Pdt.G / 2020 / PA.Cmi, it can be concluded that the Cimahi City Religious Court has the right to examine based on Article 49 verse (1) and discontinue the cases. According to researchers, Article 39 verse 2 of Law No. 1 of 1974 does not regulate the reasons for divorce. Furthermore, the researcher assumed that the judge could add Article 19 (a) of Government Regulation Number 9 of 1974 jo. Article 116 (a) Compilation of Islamic Law in accordance with the case that the defendant often consumed alcohol which was difficult to cure and made a relationship that was no longer harmonious.

Keywords : *divorce, drunkard*